

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BRANDON BRADLEY, SR.,

Plaintiff,

v.

Case No. 20-C-561

MARK JENSEN, et al.,

Defendants.

ORDER DENYING PLAINTIFF'S MOTIONS TO COMPEL

This matter comes before the court on Plaintiff's motions to compel discovery. Civil Local Rule 37 requires that all motions to compel include "a written certification by the movant that, after the movant in good faith has conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action, the parties are unable to reach an accord." In other words, before filing a motion to compel, a party needs to first discuss its dispute with the opposing party's lawyer before asking the court to get involved. And, if they cannot work out the dispute and a party files a motion to compel, the party must include proof in his motion that he first tried to work it out with the opposing party's lawyer.

Plaintiff's motions are deficient because they do not indicate that Plaintiff attempted to contact Defendants' lawyer to resolve any discovery dispute before seeking relief from the court in accordance with Local Rule 37. Therefore, the court will deny his motions as premature. Parties are often able to resolve their disputes without the court's help. Informal resolution without the court's involvement saves both the court and the parties time and resources. Ordinarily, a plaintiff contacts defense counsel, preferably by letter, to get a better understanding of why the defendants

did not timely respond to his discovery requests. It may be that Defendants require a short extension of time or that there is some confusion over the information Plaintiff seeks in his discovery requests. A brief discussion may easily resolve whatever issues exist and save the parties the time and effort of briefing a motion. In light of Plaintiff's incarceration, the court encourages the assistant attorney general to reach out to Plaintiff in an effort to resolve the matter.

IT IS THEREFORE ORDERED that Plaintiff's motions to compel discovery (Dkt. Nos. 35 & 36) are **DENIED**.

Dated at Green Bay, Wisconsin this 19th day of October, 2020.

s/ William C. Griesbach
William C. Griesbach
United States District Judge